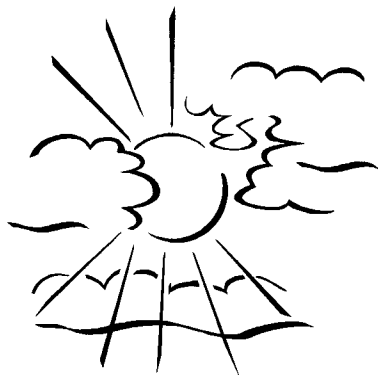


***Department
of
Human
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*Important story at this spot

Articles in Today's Clips

Tuesday, February 21, 2006

(Be sure to maximize your screen to read your clips)

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NEWSMAKER FRIDAY: CHILD DEATH A CHANCE TO LEARN

As the body of seven-year-old Ricky Holland was discovered and his adoptive parents were charged in recent weeks with his death, politicians have clamored for an investigation into how the Department of Human Services missed the signs that things were wrong in the family. The cries grew louder this week with the revelations that complaints had been filed against the Hollands for abuse and neglect.

The department and the Office of the Children's Ombudsman were already beginning to collect records on the case, and given its notoriety it is likely those investigations will lead to some change in Child Protective Services.

Those changes at this point could range from the caseworker involved being asked to find other work to the Legislature being asked to give that worker new legal tools that could have prevented the tragedy.

Verlie Ruffin, the Children's Ombudsman, said her office began an investigation as soon as it was clear there had been complaints.

"We asked for all the records of any protective services complaints," Ms. Ruffin said. "At this point that is all we are requesting."

But Steve Yager, director of the Office of the Family Advocate, which oversees Child Protective Services, said his office is going further. In addition to any internal documents on the Holland family, he said his office is trying to collect any court records, police reports or any other records that might grant insight into the case and its handling. "Pretty much anything that's out there we're going to go over it," he said.

Both Mr. Yager and Ms. Ruffin said they are not at a point of, nor are they seeking to, point fingers in the case.

"We may affirm the agency, finding out they did investigate something and they took appropriate action," said Mike Harmon, supervising investigator for the Children's Ombudsman. "We may find that there were allegations and that they did not appropriately handle those, in which case we would make a finding and recommendations."

Mr. Yager said his review of the case, and of any case of serious injury or death, will look not only at whether the worker involved acted appropriately, but also at whether what were considered appropriate actions should be reconsidered.

And he said the odds of some recommendation for change at the agency are pretty high. "In about 80 percent of the cases we have findings," he said.

Those findings could be that the caseworker involved violated the law and will be disciplined in some way. Or they could be that the person was not sufficiently aware of a policy or law that would have aided the response, in which case, Mr. Yager said, the person might be sent for additional training.

But he said it could also be that law and policy were followed but were not appropriate for the situation. As an example, he said the department requires complaints result in face-to-face contact with the parent within 24 hours. "They may have gone out in the 23rd hour," he said. "If you look at the call, maybe they should have gone out in the second or third hour."

And he indicated there might be something in the record of a case that would help in the future to better judge the response to a similar complaint.

In a case where the face-to-face meeting is an issue, it could also be simply the schedules of the parents involved. Mr. Yager said people are much more mobile than they were even a few years ago and are much less likely to be home or reachable when caseworkers try to contact them.

He said reviews of past cases led to a number of policy changes, such as the new requirement for additional supervisory reviews to dismiss a case where there have been multiple complaints.

Even if the review finds that it was an unavoidable situation, that all of the laws and policies were appropriate and were followed, Mr. Yager said there will likely be changes. He said such incidents weigh on the workers, at least causing them to question their judgment in the rest of their cases.

Just as the department goes into each child injury or death investigation objectively, he said it is also important for the caseworkers to go into each new home objectively.

"You can't go in saying these people are murders and I'm going to find the evidence to prove it," he said. "But to say all people are good people and wouldn't do something like this is just as damaging."

As case that leads to an investigation could also be a factor in that worker joining the many who get out of the business each year, Mr. Yager said. Though he did not have exact figures, he said the turnover rate is high among Child Protective Services and other social workers for a number of reasons.

Spokesperson Maureen Sorbet said the department is working through a grant from the Annie E. Casey Foundation to better document not only the actual turnover rate, but the reasons those workers are leaving.

Among the reasons for social workers to leave the agency that has come to the fore since Ricky Holland's death is the workload. While national standards say each CPS worker should have no more than 15 cases at a time, studies of the department have shown actually caseloads range from 20 to 60.

Human Services Director Marianne Udow testified in budget hearings last year that the department is as much as 25 percent under staffed.

Governor Jennifer Granholm has called for additional caseworkers in the fiscal year 2006-07 budget, and Mr. Yager said the additional bodies would be welcome to take the pressure off others. "If you don't have the bodies to do the job, it just snowballs," he said.

But he said case numbers are not the only pressures on CPS workers. "The world of social work is beyond caseload demographics," he said. "We need to do a little deeper analysis."

Part of the solution is new technology, expected by the end of the year that would allow CPS workers to complete all of their reports in a single program. Mr. Yager said the current system requires that part of the work be done through the automated file system and part through a word processor.

The department is also working to better match employees to the job and to better prepare them for what it entails. "Some people come out of college thinking they're going to be social workers. That's a small part of the job," Ms. Sorbet said. Instead, much of the work is writing reports.

Mr. Yager said it was not possible to break out the jobs to allow the social workers to spend more time working with people. "Our job is about evidence," he said. "Second and third hand information just doesn't cut it."

Child killer apologetic; gets life with no parole

Tuesday, February 21, 2006

By John Agar
The Grand Rapids Press

GRAND RAPIDS -- In sentencing an 18-year-old to life without parole, a Kent County judge questioned whether teens -- even those guilty of "absolutely horrific" crimes -- deserve the state's harshest sentence.

The victim's family said Lee Clifton Moore, convicted of first-degree murder in the August killing of 2-year-old Armon Colar, deserved everything he got.

"My baby didn't get to live, you know what I mean?" Anthony Colar, said afterward.

Anthony and Alicia Colar, who were separated when the killing occurred Aug. 24 in her apartment, sat in the front row as Moore was sentenced, but declined to speak in court.

Moore was caring for his girlfriend's three children, including the victim, when he severely beat the child while disciplining him.

Circuit Judge Dennis Kolenda called the killing "absolutely horrific," but said "we need some kind of review mechanism" after many years to determine if young defendants -- Moore was 17 when the killing occurred -- had changed their lives. He suggested that such defendants serve at least 25 years before their cases are even reviewed.

He said this case reminded him of sentencing another teen, Saulo Montalvo, then 16, to life in prison without parole in the 1996 killing of Rodney Corp at the Beer Cooler on Alpine Avenue NW. Montalvo was the getaway driver, while two 15-year-olds robbed and killed the worker. Kolenda said he had "no qualms" about sentencing the two who took part in the robbery, but sentencing Montalvo was tougher.

The judge said the only way to bring change is by judges speaking out on the issue, which has gained

statewide attention with more than 300 Michigan inmates serving life without parole for crimes committed before they were 18. Critics say it's unfair for minors to receive the same punishment as adults.

In Michigan, defendants are considered adults at 17.

Kolenda said he didn't advocate automatically releasing Moore and others, but said officials should review whether Moore "has changed and, if you have, perhaps, consider some mercy."

Kolenda told Moore that he should try to be productive in prison as a "small gesture" toward the victim.

"You've got a lot to make up for, young man," Kolenda said.

The defendant's father, Clifton Smith, said later his son would appeal his conviction. He insisted his son didn't intend to kill the child. Now, two families have lost sons, he said.

"I'm still coming to grips with it," he said.

Before he was sentenced, Moore turned, and said: "I just want to say that I apologize to the family. I apologize to my family. ... I pray that you'll be with me through this."

Anthony Colar said the apology meant nothing. He and his wife and other family members listened to testimony of how their son died, what had to be painful last hours. The little boy's brain swelled, and his arm was badly broken. He suffered internal injuries.

"He didn't show (any) type of remorse. And then, why don't you just plead guilty if you did it? (I had to) relive my kid getting killed. That apology doesn't mean anything to me."

Police: Father admits to shaking infant

11-week-old has skull fractures, fluid on brain

Saturday, February 18, 2006

BY SUSAN L. OPPAT
Ann Arbor News Staff Reporter

An 11-week-old baby was upgraded to fair condition at the University of Michigan Medical Center Friday night, hospitalized after her father said he fell and hit her head on a doorknob, then shook her because she wouldn't stop crying.

Van Buren Township Detective Sgt. Greg Laurain said George G. Frazier was charged Friday with first-degree child abuse, for intentional harm of a child, a 15-year felony, and second-degree child abuse, for causing harm to a child, a four-year felony.

If convicted, any sentence could be doubled because Frazier is an habitual offender. He has previous felony convictions for first-degree home invasion and vehicle theft.

He said Frazier has confessed to shaking the child. The infant girl has multiple skull fractures, "profound" fluid on the brain and facial bruises.

Frazier and the child's mother, who was at work when the girl was injured, said the incidents occurred Monday, but the child seemed all right. He said they didn't seek medical treatment until Wednesday, because the infant seemed all right and they didn't have medical insurance.

But Laurain said they took her to a clinic Wednesday because a mark on her face wasn't improving and she seemed restless. The doctor at the clinic sent them to the emergency room.

Laurain said doctors have not told police what level of brain damage, if any, the girl has suffered. The child's mother will likely not be charged.

Frazier was ordered held on \$100,000 cash bond at his arraignment and ordered to appear for a preliminary examination on March 1.

Susan Oppat can be reached at soppat@annarbornews.com or at 734- 482-1166.

Tuesday, February 21, 2006

Oakland Briefs

Delores Patterson / The Detroit News

Rochester Hills

Mother likely to face child neglect charges

A 32-year-old Troy mother who left her 2-year-old daughter alone in car while she drank inside a bar is expected to face civil child neglect charges this week by the Oakland County Prosecutor's Office. Rhonda Louise Sheppard was charged with marijuana possession Saturday after deputies found her daughter alone in a car seat in a car parked outside the Catalina Lounge in Orion Township. Next to the child was a bag of marijuana. Sheppard also left her 11-year-old son home alone. Both children were placed with relatives. Prosecutors are seeking to permanently sever her parental rights.

Psychiatrists will examine Montrose mom

Saturday, February 18, 2006

DARRYL Q. TUCKER
THE SAGINAW NEWS

A judge has ordered a Montrose woman to undergo psychiatric testing to determine if she is competent to stand trial on charges she had her unrestrained infant son on her lap as she intentionally rammed her truck into a bank's brick wall.

Saginaw County District Judge Darnell Jackson on Friday ordered Carrie L. Zervan, 22, to the Center for Forensic Psychiatry in Ypsilanti so that doctors can evaluate her and determine if she can assist her attorney, Joseph S. Scorsone, in preparing for a trial.

Zervan, who is in jail on a \$100,000 cash or surety bond, faces charges of attempted safe-breaking, second-degree child abuse, malicious destruction and breaking and entering a building with intent in the Feb. 4 wreck at an Albee Township bank.

Zervan held her 7-month-old son, Anthony, on her lap as she floored a Dodge pickup through two layers of brick and mortar at Montrose State Bank, 10811 Albee, or M-13, police said.

Zervan and her child suffered minor injuries in the crash, police said.

Newborn Left Abandoned In Shoebox

Investigation Continues

POSTED: 12:09 pm EST February 20, 2006

A baby who was abandoned and left in the cold is recovering.

The 4-day-old infant was found outside a banquet hall in southwest Detroit in a shoebox, Local 4 reported.

Police are trying to find out who the mother is and why she left the baby outdoors, according to the station's reports.

Children's Hospital listed the infant in good condition Monday.

The investigation continues.

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Police: Child Left In Car With Drugs

Mother Faces Charges

POSTED: 4:32 pm EST February 17, 2006

A mother is facing charges for leaving her 2-year-old daughter unattended in a car while she was inside a bar drinking, according to the Oakland County Sheriff's Department.

Officers responded to the Catalina Bar in Orion Township on Thursday evening and found a 2-year-old girl asleep in a car seat of a black 1999 Mercury Mountaineer. Next to the child was a plastic bag of marijuana, police said.

Rhonda Louise Shepard, 32, of Troy, admitted to police that she left her child in the car but said it was only for 15 minutes. After questioning witnesses inside the bar, police learned the woman was inside drinking for more than an hour.

The 2-year-old was placed with the mother of the woman's boyfriend until other arrangements can be made, police said.

Police learned that Shepard also left her 11-year-old son at home alone in Troy during this incident, and the Troy Police responded and turned him over to family relatives.

The woman was taken into custody and is being held at the Oakland County Jail. She will be arraigned Saturday and faces child neglect and abandonment charges and one count of possession of marijuana.

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Detroit Free Press

February 21, 2006

DETROIT: Abandoned baby in good condition; parents sought

A newborn baby girl abandoned outside a southwest Detroit banquet hall is in good condition at Children's Hospital of Michigan as police try to track down her parents.

The baby was estimated to be 4 days old when she was found at 8:44 p.m. Friday in a box in front of the El Bosque banquet hall, 6705 W. Lafayette, Detroit Police Sgt. Eren Stephens Bell said. Some customers discovered the child.

By Cecil Angel

Monday, February 20, 2006

Wayne Briefs

Catherine Jun / The Detroit News

Detroit

Police seek clues about abandoned newborn

Police seek anyone who can identify a baby that was found at 8:45 p.m. Friday on the 6700 block of West Lafayette. Officers responded to the area after a 911 call that there was an abandoned baby in the area. The baby is a white female who is approximately 4 days old. The baby was taken to Children's Hospital for medical treatment. Anyone with information should call (313) 267-4600.

Teacher Accused Of Assaulting Student

Police, School Officials Continuing Investigation

POSTED: 4:18 pm EST February 20, 2006

An elementary school teacher faces charges of allegedly assaulting a 6-year-old student from Roosevelt Elementary School in Ferndale.

The alleged attack occurred on Feb. 13, when a 6-year-old student said the teacher, Patricia Brown, 63, grabbed him around the throat, pushed him against the wall and lifted him up, according to a Ferndale Police Department news release.

Another adult overheard the incident and heard Brown tell the student, "You're out of control so you make me out of control," according to police.

The case was presented to the Oakland County Prosecutor's Office. Brown was charged with assault and battery, which is punishable by up to 93 days in jail, or a \$500 fine.

Brown pleaded not guilty, and is free on a \$10,000 personal bond, pending pre-trial.

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Oakland County

Oak Park teacher charged in sex assault of 2 students

February 18, 2006

BY GINA DAMRON
FREE PRESS STAFF WRITER

An Oak Park teacher remained in jail Friday after being charged with sexually assaulting two 5-year-old boys at Key Elementary School.

James Norman Perry, 32 -- who had recently been transferred from Key to Oak Park's Roosevelt Middle School -- was arraigned Wednesday in 45B District Court in Oak Park on one count of first-degree criminal sexual conduct, one count of second-degree criminal sexual conduct and one count of assault with intent to commit sexual penetration.

Perry has been suspended from Roosevelt and was being held on \$100,000 cash bond in the Oakland County Jail. He is to be back in court Tuesday.

Oak Park police said the assaults took place last fall, and Perry was suspended from his job at the elementary school after the children's parents filed reports. But the police investigation did not find enough evidence and he was later reinstated at Roosevelt, said Oak Park Lt. Steve Cooper. He said prosecutors were taking a second look at the case.

Oakland County Chief Deputy Prosecutor Deborah Carley said both assaults occurred at the same time in a classroom during school Oct. 12. She said it's unclear why Perry was there alone with the students.

One of the students, Carley said, showed his mother who the teacher was after the boy left a darkened classroom. The mother went to the police.

Carley said the mother of the other boy also went to police.

Contact GINA DAMRON at 248-351-3293 or damron@freepress.com.

to girl don't melt heart of judge

Tuesday, February 21, 2006

BAY CITY TIMES WRITER

CARO - Police say 31-year-old accused sex offender Mark W. Hendrix kept using a pay phone at the Tuscola County Jail to get all lovey-dovey with a 13-year-old girl.

The calls cost Hendrix 50 cents a minute - and five extra years in Michigan state prison.

"The amazing part of it is that while (Hendrix) was in jail - accused of criminal sexual conduct with a 13-year-old girl - he was continuing to contact another 13-year-old girl by phone and by letter, from jail," said Tuscola County Prosecutor Mark E. Reese.

Calls made by inmates, however, get recorded, and mail is subject to monitoring by police.

Even before a jury convicted Hendrix of nine counts of third-degree criminal sexual conduct against one 13-year-old victim, Hendrix was using the same approach on the other 13-year-old girl from jail, Reese said.

"(To) the two 13-year-olds, he would say, 'I love you, and I'm going to marry you,'" Reese said.

"He had the routine down."

Tuscola County Circuit Judge Patrick R. Joslyn didn't appreciate the pick-up lines, and used them as a reason to deviate from state sentencing guidelines and impose a tougher sentence on Hendrix, whose last known address was in Genesee County's Grand Blanc Township.

Instead of siding with a probation officer's call for a minimum of about five years in prison when the judge sentenced Hendrix on Feb. 13, Joslyn gave Hendrix 10 to 15 years behind bars.

"(Hendrix) made the comment to the judge that as soon as he found out this girl he had been contacting from jail was 13 years old, he ceased all contact with her," Reese said. "But we also had letters he had written to this girl from jail, saying, 'When you contact me at jail, don't include your age.'"

"If you're going to tell a lie, at least be a little more clever about it than that."

Hendrix's attorney, Lapeer lawyer David N. Richardson, told the judge Hendrix had no prior criminal record before the jury convicted him of the nine sex crimes involving the 13-year-old girl.

"The pre-sentence investigation report makes me out to be a loser, and I am not," Hendrix said. "I have a job. I have four jobs that I've held for extensive amounts of time, and (the probation agent) tries to say I can't hold a job for two months."

Richardson also told the judge Hendrix is "very intelligent" and asked for a term of probation, rather than prison.

Hendrix, however, would have been smart to understand rules and procedures while in jail, Reese said.

Inmates are warned that jail calls are recorded and letters are monitored, Reese said.

Man arraigned in sex assault on teens

Saturday, February 18, 2006

JOE SNAPPER
THE SAGINAW NEWS

CLARE -- Young girls' love of horses brought Michael J. Tossey his prey, investigators here say. Three young high school students groomed and fed their steeds in the Cornwell Road barn in Grant Township that belongs to the 49-year-old livestock hauler.

Inside the barn's stables, Tossey repeatedly used force to sexually assault two of them starting at age 14, Clare police said.

"This is far beyond him trying to woo them," Officer Alan White said. "It was totally not consensual. It was forced."

White obtained new arrest warrants Friday in which prosecutors charged Tossey in two sexual assaults of a girl, now 16.

Both victims rode their horses competitively in 4-H and state fairs. The two knew each other as classmates but were not close friends and had not shared details of their alleged assaults, White said.

White declined comment on whether police believe Tossey was luring young girls with his horse stable.

Tossey, already in Clare County's jail on a \$250,000 bond on second-degree criminal sexual conduct charges against a 15-year-old, faces arraignment in the new charges Tuesday, White said.

Assaults in both cases took place months ago. The teens' delay in reporting them owes to the psychological trauma inflicted by the crimes they are alleging, White said.

"They can't believe somebody their family knows would do this," White said. "They pretend it didn't happen. They try to make it go away."

"It didn't go away."

The 16-year-old victim told police Tossey's arrest Monday and arraignment Tuesday in the initial case stoked her courage to come forward, White said.

Pressure from friends helped lead the 15-year-old to initiate claims of Tossey's abuse Feb. 10. She left a "heart-wrenching" letter in a sealed envelope for White, the longtime Clare Public Schools liaison officer.

Her disclosure to police also came after a "much stronger assault" than earlier ones, White said.

Joe Snapper is a staff writer for The Saginaw News. You may reach him at 776-9715.

Detroit news

February 21, 2006

Plymouth Township

Man, 29, faces hearing on child porn charges

A Plymouth Township man, Christopher W. Twichell, 29, faces an arraignment March 3 in 35th District Court on four counts of child pornography. Each count carries a possible penalty of 20 years and a \$100,000 fine. Twichell was arrested by State Police from the Metro South Post, who said they had been investigating him, based on an anonymous tip, since December. Twichell's bond was set at \$100,000.

Channeling tax-filing pain into help for kids

Monday, February 20, 2006

By Sharon Emery
Lansing Bureau

LANSING -- Over 18 years, Michigan taxpayers specifically designated nearly \$15 million of their income tax refunds for child abuse prevention efforts statewide.

That ended in 2001, when the Children's Trust Fund balance exceeded \$20 million and state law stipulated that the income tax checkoff end.

Now, it's back. The CTF checkoff, established in 1983, appears on line 30 of state income tax forms being pored over by taxpayers. There is also a Military Family Relief Fund checkoff.

Michigan officials are hoping an increase in the specified minimum CTF donation -- to \$5, up from \$2 -- will boost abuse prevention programs statewide. Most recently the average checkoff amount donated was \$12.

About \$1.87 million will be disbursed from CTF interest and investment earnings this year, about half of that to 37 agencies providing direct services. The rest will go to 71 local councils that identify needs and organize prevention programs in their communities.

Spearheading a new public-awareness campaign is Richard Bearup, named executive director of the Children's Trust Fund last month. He was the state children's ombudsman from 1995-98 under Gov. John Engler, and most recently worked in Gov. Jennifer Granholm's office to implement children's programs.

"I have a very personal commitment for why I do this," Bearup said in an interview, noting in particular his longtime work with Lutheran Child & Family Services of Michigan, a private agency providing adoption, foster care, counseling and substance abuse services to families.

"I saw children and families experiencing things I had never had to experience -- it really opened my eyes," he said.

Armed with checkoff-renewing legislation signed by Granholm that also lifts the \$20-million cap on the trust fund, Bearup has been charged with expanding the network of initiatives supported by the fund.

The move comes as a recent Kids Count in Michigan report found that confirmed cases of child abuse and neglect rose nearly 41 percent between 1995 and 2004.

The report, funded by charitable foundations and conducted by two Michigan child advocacy groups, concluded that Michigan Department of Human Services prevention efforts targeted at families with unsubstantiated charges of child abuse or neglect have been virtually eliminated due to budget cuts.

"There are growing questions about the purpose of the Legislature as the state budget falls far short of program needs and they've already pledged not to raise taxes," said Jane Zehnder-Merrell, of the Michigan League for Human Services, which developed the report with the group Michigan's Children. "Their mandate is to secure the needs of the citizens of this state, but when we look at the data, clearly this is not happening."

Lawmakers are considering Granholm's 2007 budget plan, which calls for hiring 51 additional DHS caseworkers in the fiscal year starting Oct. 1, the first time she has done so.

Through interest income, individual and corporate donations, children's license plate sales, grants and special fund-raising activities, more than \$80 million has been raised through the Children's Trust Fund since 1983; some 8 million children and families have been helped.

CTF programs serve people who voluntarily seek the services; they complement DHS abuse and neglect programs, Bearup said. In some areas of the state, for instance, all new moms get referred to local CTF programs.

"In 2006 there's a higher incidence of poverty and joblessness," Bearup said of conditions that make the fund particularly crucial now. "These two elements are going to serve as reasons for child abuse and neglect to occur. ... but I believe there is an opportunity today to build public awareness that has not previously existed."

CTF donations can also be made directly to: Children's Trust Fund, P.O. Box 30037, Lansing MI 48909.

Contact Sharon Emery at (517) 487-8888 x236 or e-mail her at semery@boothnewspapers.com.

Saturday, February 18, 2006

Granholt's knee-jerk blame game is offensive She tries to tag lawmakers with not funding child services

The Detroit News

Gov. Jennifer Granholm may want to stop blaming the GOP-led Legislature for every stumble that occurs in the state government she oversees.

Early Thursday, she implied that Republican legislators were responsible for an understaffing of state child protection caseworkers, which may or may not have been responsible for the abuse and death of 7-year-old Ricky Holland. An investigation will try to determine what went wrong. "We repeatedly asked for additional resources," the Associated Press quoted Granholm as saying. "This year, no budget gets signed unless those resources are there."

Later that day, the Granholm administration was forced to backtrack after Senate Majority Leader Ken Sikkema, R-Wyoming, protested. The administration admitted it "has not asked for additional resources for Child Protective Services in the past," but has asked for 51 additional case workers in the 2007 budget.

Although she said she wasn't trying to exploit the tragic situation for political gain, Granholm's earlier statement sure seemed like an attempt to score political points at the Legislature's expense.

The governor also argued that Gov. John Engler's early retirement program in the late 1990s caused the understaffing of caseworkers for a long time. The facts don't support that claim.

According to the Michigan Department of Human Services, there was a dip in child protection case workers from 1998 to 1999. But the number of caseworkers grew by almost 80 -- from 639 in 1999 to 716 by 2002, when Engler left office.

Under Granholm's watch, staffing has decreased to 693 case workers -- and that's still 92 workers more than the 601 employees in 1997. Given the budget shortfalls of the last few years, that's not bad.

Michigan may lack experienced caseworkers. And more workers may be needed in an overwhelmed system.

That need will have to be balanced against many others as Granholm and the Legislature set budget priorities in the face of a terrible state economy.

The Human Services department's review and the state children ombudsman office's investigation hopefully will answer what went wrong in the Ricky Holland case.

Hopefully, as well, the governor has learned from this incident that constant finger-pointing is no way to run a government, and is not useful in trying to build consensus with lawmakers to address the state's many problems.

Granholm continuously harangues GOP lawmakers for not working with her on solutions.

But why would they trust a governor whose first instinct is to blame them whenever something goes wrong?

Saturday, February 18, 2006

Granholt signs law requiring background checks in nursing homes

Associated Press

LANSING -- New workers in hospices, home health programs and psychiatric hospitals will have to undergo criminal background checks starting May 1 under a law signed Friday by Gov. Jennifer Granholm.

Background checks currently are required in nursing homes, adult foster care homes and homes for the aged. The new law will expand the requirement to other health facilities.

The state Department of Community Health got \$5 million from the federal government last fall to create a background check system, but was required to enact tougher new laws for workers in long-term care facilities.

"I'm pleased to sign legislation that will help protect our state's most vulnerable citizens in the long-term care facilities they call home," Granholm said in a statement. "By requiring background checks on new employees, we can ensure that people who shouldn't have access to our parents and grandparents don't."

The background check bills are House Bills 5168 and 5448, and Senate Bills 621-22.

On the Net:

Michigan Legislature: <http://www.legislature.mi.gov>

Department of Community Health: <http://www.michigan.gov/mdch>

Published February 18, 2006

[From the Lansing State Journal]

Granholm signs law for checking workers' history

Associated Press

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Published February 21, 2006

Checked out: Pols praise background checks, but fail to support them

A Lansing State Journal editorial

Gov. Jennifer Granholm signed a law last week that requires background checks for more health workers - background checks that impose yet another duty on the Michigan State Police.

Now, before imposing new research duties on state troopers, isn't it prudent to make sure they are equipped to handle the duties they have?

In light of recent events, it's hard to see how Granholm and the Legislature can claim all is well with the State Police and background checks.

Gaining the most attention, of course, have been the problems with criminal background checks of state educators. While the politicians were touting the protections for our children, the State Police and local school districts were left with inaccurate lists that have drawn both state and federal court injunctions.

Then, last week, the head of the troopers' union warned that Michigan could have fewer than 1,000 patrol officers by the end of September if state funds aren't found to hire more recruits.

And, let's not forget that it took a supplemental budget bill last November to keep three State Police posts open - the kind of posts where teachers are supposed to go to be fingerprinted to free themselves of any inaccurate state background reports.

Now comes the health-care background check mandate. Starting May 1, the State Police will have to process fingerprint reviews for hospice and home-health workers.

Proponents, such as Attorney General Mike Cox, have noted that Michigan got a \$5 million federal grant to help fund such checks. They also have made the standard background-check political argument - that these reviews are essential for the public to know our vulnerable citizens, such as children and the elderly, are safe.

But how safe is Michigan if our politicians can't ensure accurate records?

And, how safe is the public when the results of such checks are blocked from public view? Lawmakers such as House Speaker Craig DeRoche, R-Novi, have argued, rightly, for release of the teacher checks now shielded by court order.

Yet that zeal for public information apparently was lost for health workers, since the new law explicitly exempts the results of background checks from the state's Freedom of Information Act.

If voters were to do a background check on lawmakers' work on this issue, they would find that politicians have promised far more than they are willing to deliver with appropriate funding, staffing and procedural safeguards.

And Michigan is sure to suffer for it.

Gongwer
February 19, 2006

GOVERNOR INKS BACKGROUND CHECKS FOR NURSING HOMES

New employees of nursing homes and assisted living facilities will be required to undergo a criminal background check under legislation signed into law by Governor Jennifer Granholm on Friday.

“By requiring background checks on new employees, we can ensure that people who shouldn’t have access to our parents and grandparents don’t,” Ms. Granholm said in a statement.

In the fall, the Department of Community Health received \$5 million from the federal government for the background check system. The legislative package received nearly unanimous support from the Legislature.

“This legislation makes Michigan a leader at the national level by requiring federal checks of all new employees who have direct access to elderly and disabled patients,” said DCH Director Janet Olszewski.

The new laws will apply the pilot project to most providers, including skilled nursing facilities/nursing facilities, hospices, long-term care hospitals/hospitals with swing beds, home health agencies, residential care and assisted living facilities and intermediate care facilities for persons with mental retardation.

Signed into law were HB 5168, PA 26; HB 5448, PA 27; SB 621, PA 28 and SB 622, PA 29.

Granholt Signs Legislation Protecting Seniors

Today, Gov. Jennifer **GRANHOLM** signed legislation requiring criminal background checks for workers in nursing homes and assisted living facilities. The Governor applauded the Legislature for taking quick, bipartisan action on the legislation, which she said she "first called for last year," although it looks like the Attorney General actually beat her by four months.

"I'm pleased to sign legislation that will help protect our state's most vulnerable citizens in the long-term care facilities they call home," Granholt said. "By requiring background checks on new employees, we can ensure that people who shouldn't have access to our parents and grandparents don't."

In September 2005, Granholt said she stood with health care providers and a bipartisan group of legislators to call for improved safety standards in long-term care facilities by requiring background checks for all new employees.

"This legislation makes Michigan a leader at the national level by requiring federal checks of all new employees who have direct access to elderly and disabled patients," said Department of Community Health (MDCH) Director Janet **OLSZEWSKI**.

Attorney General Mike **COX** announced the results of two studies in June 2005 that almost 10 percent of the employees caring for Michigan's vulnerable adults have criminal backgrounds that include homicide, criminal sexual conduct, weapon charges and drug offenses (See "Cox: 'Criminals Are Working In Nursing Homes,'" 6/1/05).

Last fall, MDCH received \$5 million in federal funds to implement the proposed background-check system. In order to participate in the grant, Michigan needed tough, new laws that required background checks on individuals who provide direct-care services to individuals in a long-term care facility. The background check must be conducted prior to an individual's employment or conditional employment.

Michigan will incorporate most types of providers into its background-check pilot project, including skilled nursing facilities/nursing facilities, long-term care hospitals/hospitals with swing beds, intermediate care facilities for persons with mental retardation (ICF/MR), home health agencies, residential care and assisted living facilities, and hospices.

The Governor applauded the original bill sponsors — Rep. Paula **ZELENKO** (D-Burton), Rep. Gary **NEWELL** (R-Saranac) and Rep. Michael **MURPHY** (D-Lansing) for standing with her on this issue.

The package signed into law by the Governor includes HB 5168, sponsored by Zelenko; HB 5448, sponsored by Rep. Barb **VANDER VEEN** (R-Allendale); SB 0621, sponsored by Sen. Patty **BIRKHOLZ** (R-Saugatuck Twp.); and SB 0622, sponsored by Sen. Tony **STAMAS** (R-Midland).

Grand Rapids Press Letters

February 20, 2006

Proposed rules off base

I am writing in response to Sharon Emery's column "Who will care for the elderly?" (Press, Feb. 9), regarding the proposed rule changes for adult foster care and home for the aged facilities. I'm convinced that our industry is in the middle of a payback scheme between the governor and the unions. Our industry isn't political; we're in the serious business of caring for our most vulnerable adults.

Ms. Emery rightly noted that the rules would require reporting employee names and Social Security numbers. However, she did not mention that we must also report employee telephone numbers, dates of birth, addresses, summary of experience, dates of employment, positions employed, references provided, reason for leaving, monthly staffing ratios, staff turnover rates, staffing methods, changes in staffing methods, wage rates, employee benefits, reasons employees are terminated or quit and proprietary business information (business audit).

My employees do not want this private information reported, since a simple Freedom of Information Act request will make it public.

In her column, the American Federation of State, County and Municipal Employees said that the clearinghouse would connect workers and employers. I submit the department does not need a clearinghouse for this reason.

These rules usurp the wage and hour laws of the U.S. Department of Labor and its Michigan counterpart. The department will assess the "adequacy and sufficiency of employee wages and benefits" against some undefined standard and union facilities will be exempt. No state regulated industry or profession defers to union status to determine compliance with state licensing regulations.

These proposed rules establish arduous reporting, unnecessary committees, deeming status to unions and divert resources from care giving. None of these rules enhance care, but increase costs to our elders.

The clamor is for the industry to provide more affordable assisted living alternatives. These proposed rules will have the opposite affect.

ALBERT L. HARRAMAN/Director
Oak Crest Manors of Kentwood

February 21, 2006

School 'felon list' was published irresponsibly

Publication by the Michigan Department of Education of a computer-generated listing of more than 200,000 school employees (The News, Feb. 4) containing much erroneous naming of teachers and others as having criminal records was incredibly irresponsible. Why had officials involved in this malfeasance failed to anticipate anxiety among the falsely accused, or panic and rage among parents who hear false alarms of their children endangered by pederasts or felons working at the local school?

We expect a certain amount of bureaucratic incompetence, but insensitivity and indifference toward maligned reputations of dedicated teachers cannot be excused; it deserves litigation. Moreover, as in credit card identity theft where people are damaged for years, it's just left up to the school employee to figure out, while facing a guilty-until-proved innocent mentality, how to restore his or her good name.

The Lansing administration should know by now that computer networks not only are wide open to professional and amateur hacks, but that the false or accusatory data tagging of individuals, once entered into an organization's computer, can morph and multiply in unknown directions, never to be called back from its dispersions.

Equally incredible in this story was the reported statement of the legislative assistant who dismissed all complaints about harms and injury resulting from statewide release of a libelous listing. That puffed-up, hostile stance of end-justifies-any-means has become familiar; with practice, that morality authorizes "burning down the village to save it."

Thomas H. Fitzgerald, Dexter

Criminal list must be public and accurate

Port Huron Times Herald – February 20, 2006

State obliged to ensure credibility of employee background checks

Make no mistake: Running criminal background checks on public school employees is in the public's best interest. Communities need to know sexual predators aren't putting children at risk. State efforts to meet that standard, however, have fallen short.

When a new state law took effect this year, its aim seemed simple: keep sex offenders out of our schools. Any school employee who shows up on the state's sex-offender registry faces automatic dismissal.

The principle is sound, but its execution is faulty. The state's sex-offender registry has a checkered past that includes inaccurate information, and a criminal background check of school employees turned up a disturbing number of false positives.

Last week, U.S. District Judge Paul Gadola blocked the release of school employees' criminal records. The judge agreed accuracy objections from the Michigan Education Association, the state's largest teachers union, were valid.

Earlier this month, Ingham County Circuit Judge Joyce Draganchuk blocked the list's release after hearing testimony from four teachers who appeared on the list with convictions for drug violations, domestic abuse and other offenses. All four said they had never committed any crimes.

The public deserves to know the criminal history of school employees. The *Detroit Free Press* has led efforts to make that information available, but the list also must be correct.

So far, the Michigan State Police have failed to come up with a reliable list of offenders.

Although state police officials plan to use a more sophisticated computer search, the ultimate responsibility lies with state lawmakers.

In passing a law that made sense on paper, they didn't ensure the information gathered would be reliable. Now, a new bill is proposed to give 14 days to make sure criminal background lists are accurate before making them public. That's not the way to go.

The Freedom of Information Act requires public bodies to comply within five business days.

There is no compelling reason why the background checks should become an exception.

The bottom line is state leaders should have had their acts together. Passing a law doesn't guarantee it would be effective.

The sex-offender registry's problems are a case in point. When that law went on the books, the registry's accuracy undermined its effectiveness. Now, a general criminal background check is encountering similar drawbacks.

Parents and students deserve to know if convicted criminals teach or perform other duties in public schools. The new law requires those with sex-related convictions be fired. The Freedom of Information Act requires the public see the complete results of the criminal background checks.

State officials cannot fall short of either law's demands. As public officials, they are responsible for ensuring the information is correct and readily available.

Published February 18, 2006

State takes 15 boys out of troubled Highfields Youths moved to 'safe' place after preliminary review

By T.M. Shultz
Lansing State Journal

The state removed 15 boys from Highfields Inc. on Friday after its preliminary investigation found it would be unsafe to leave them there.

The boys were taken to a "safe and appropriate place" after being pulled from the Onondaga residential treatment facility, state Department of Human Services spokeswoman Maureen Sorbet said.

She would not say where the boys are from nor comment further.

"It's a concern," said Charles Corley, chairman of Highfields' board of directors.

"We're not taking it lightly, that's for sure."

Highfields came under investigation by the state and the Ingham County Sheriff's Office this week after allegations of mistreatment surfaced.

Ingham County on Tuesday pulled all 18 of its youth ordered to get treatment from Highfields, and county commissioners ended payments to the facility Friday.

Corley said staffing would be affected by the removals, but he didn't know how many employees may have to be let go.

Courts from across Michigan order troubled boys between the ages of 12 and 17 to undergo treatment there.

Although Highfields' internal investigation ended Thursday afternoon, Corley said late Friday that he had yet to see the report because it still is being reviewed by Highfields President Jim Hines, whom Corley defended.

"Nothing has been substantiated," Corley insisted, adding that most of the allegations involve rules violations and not abuse.

He added that once the outside investigations are complete, Highfields will probably undergo improvements.

"One of the good things about this is it positions Highfields for change," Corley said.

It was unclear late Friday how many youths, if any, from other counties remained at Highfields. Hines did not return repeated phone calls over two days.

'Regrettable move'

Highfields has 25 board members, one of whom is State Journal editorial page editor Mark Nixon.

A statement was released Friday from the Highfields' board of directors saying the county's decision to stop using Highfields was "a regrettable move based on incomplete information."

The statement says there have been no substantiated cases of abuse.

"There have been incidents, which are being magnified, but no serious physical harm has been done," the statement continued.

However, the same statement said one young man from another county was injured in an "incident."

"The student is fine; the supervising agency is satisfied with the actions that have been taken and has maintained the student's placement in our residential program," the board statement said.

A review of a DHS Web site shows the following substantiated violations of DHS policies during the past two years:

- In April 2005, a 13-year-old at Highfields on medication for depression was not given his Zoloft for about 10 days.
- In March 2004, a staff member engaged a boy in a "physical altercation" on a Highfields bus because he was disrespectful. Two staff members verbally abused and humiliated the boy. One of the boys present during the altercation was so frightened that he "balled up in a fetal position on the floor of the van" the report states.
- In February 2004, an employee grabbed two boys by the collar on two occasions. In addition, it was substantiated that a Highfields employee had been using profanity to verbally abuse, ridicule and humiliate the boys there.
- In another instance in June 2004, a staff member put his knee on the neck of a student briefly to restrain him, but the staff member didn't violate state policy because the incident was not intentional or excessive, the Web site said.

Staff deny abuse

Highfields officials have maintained all week that these incidents do not constitute abuse.

But Daniel Macallair, executive director of the Center on Juvenile and Criminal Justice, a national organization that deals with treatment issues for juvenile offenders and troubled youth, said any program that relies on physical force is a bad program.

"It is never appropriate to engage in any kind of unusual punishment," Macallair said in a phone interview Friday.

"The only time you should ever lay a hand on a kid is in self-defense or if they're hurting themselves or someone else, and only to the point of gaining control."

Taken outside

One of the recent charges at Highfields involves an allegation that a boy who was acting up at bedtime was taken outside in the cold in either his underwear or pajamas and ended up with his head in a snowbank.

Hines said earlier this week that the boy was taken outside of his cottage to remove him from his "audience."

Macallair said that disturbed him: "Not being properly clothed is abuse. If they're rationalizing it, that's a very bad sign."

He said extensive training of staff members is the key to dealing with difficult kids.

"The adult has to be more mature than the kid, and that's hard to do. These kids will test anybody's patience. That's why training is so important."

Contact T.M. Shultz at 377-1061 or tshultz@lsj.com.

Highfields' restraint policy

- Hands-on restraint of a child is allowed at Highfields only when two employees use the technique together. The theory is that two people will act as a check on each other so the situation doesn't get out of hand. A lone employee can put his hands on a boy, but only if the boy is trying to run away or hurt himself or others.

Source: Jim Hines, president of Highfields

Published February 21, 2006

Highfields to fire 2 for not sticking to rules Internal report could lead to more changes

By Steve Miller
Lansing State Journal

ONONDAGA - Two employees at the Highfields Inc. juvenile care facility will be terminated after an internal report found that they did not adhere to the required standards set for overseeing their charges.

The Onondaga-based facility was hit earlier this month with allegations that a staffer or staffers threw a lightly clothed youth into a snowbank as a means of discipline.

The employees who are expected to be fired "were not in compliance with performance standards," said Charles Corley, chairman of the board at Highfields.

The internal report was compiled by members of the facility's executive staff, floor supervisors and the counselors on duty at the time of the alleged incident.

The internal investigation coincides with inquiries by the state and the Ingham County Sheriff's Office.

Reports of the snowbank incident prompted other groups doing business with Highfields to amend their dealings with the facility.

The state's Department of Human Services on Friday removed 15 boys from Highfields following its preliminary investigation.

And Ingham County last week pulled 18 kids receiving treatment at the facility pending an inquiry into Highfields.

Highfields has been found responsible for several violations over the past two years, according to the state's Department of Human Services Web site, including three instances of physical encounters between staff and residents in violation of DHS policies.

In light of the internal report at Highfields, "there may be other structural changes," Corley said.

"We have to wait until the other reports come out."

Disciplinary plan

Highfields, with 48 beds, is licensed to treat boys ages 12 to 17 who have run into trouble. The residents are sent to the nonsecured facility primarily via a court order.

Most of those juveniles kept at Highfields are small-time misdemeanor offenders who have committed property-type crimes, with very few violent criminals. The facility also does not take in sex offenders.

Corley said the group's disciplinary measures are sound and based on safety for both the residents and the staff, although some of the residents there can be as big as him - 6-feet-1 and close to 300 pounds.

Facilities licensed through the state are required to have a behavioral management plan, said Maureen Sorbet, spokeswoman for the Department of Human Services.

Those plans vary from center to center, she said, but generally they do not allow chemical and/or mechanical restraints.

Good reputation

Highfields, which now has 160 employees, was founded in 1962 as Camp Ingham, and provides programs and services aside from its residential youth program, including family counseling, family reunification, and even a corporate and business training program.

And it comes with a strong reputation, said Vincent Hoffman, a Michigan State University criminal justice professor and a former Highfields board member.

"It's one of the best programs in the state," he said. "They know kids, and they're invested in kids."

Highfield's 2004 tax form shows total revenue for the year of about \$6.1 million. Of that amount, \$5.5 million came from program service revenue, including government fees and contracts.

Staff writer Susan Vela contributed to this report. Contact Steve Miller at 377-1040 or srmiller@lsj.com.

Camp for boys facing trouble

Tuesday, February 21, 2006

By Scott Hagen
shagen@citpat.com -- 768-4929

Highfields Inc. may be restructured in the wake of allegations of mistreatment at its residential camp for troubled boys in Onondaga.

In the past week, Ingham County judges removed 18 boys from Highfields' Youth Opportunity Camp; the state of Michigan removed 15 more.

"It's having a serious impact," said Charles Corley, a Michigan State University professor who is chairman of the Highfields board. "We're looking at doing some things, restructuring."

Jackson County judges do not send boys to Highfields, but Jackson-area youths occasionally go there as wards of the state, said Probate Judge Susan Vandercook.

Founded in 1962, Highfields provides long-term residential treatment for disruptive boys 12 to 17 years old. The camp is located on 140 acres west of Leslie at 5123 Old Plank Road.

Highfields operates several other youth programs, including the Pride and Respect Opportunity School, a school for expelled students at the agency's Jackson office, 1206 Clinton Road.

Allegations of mistreatment at the Onondaga camp surfaced last week after a boy was evidently taken outdoors in pajamas and his face was pushed into a snowbank, said Ingham County Family Court Judge Janelle Lawless.

Five family-division judges in Ingham County decided to remove 18 boys they sent to Highfields.

"We felt it would be appropriate to remove all of the youths we had placed there until the investigation can be completed and we can get a better handle on what's going on," Lawless said. Further allegations of mistreatment were raised, sparking several investigations.

Friday, the state Department of Human Services removed 15 more boys from Highfields.

Six boys remained at the camp Monday, Corley said.

"We're making a determination of how to proceed," he said.

James Hines, president of Highfields, said, "I've been spending a lot of time focusing on making sure we were doing everything we could to minimize the negative effect on the kids who have been moved from our program."

Corley said the snowbank incident involved violations of Highfields rules or policies. He also said he is confident investigations will not show abuse or an inappropriate level of force.

Regardless, Highfields must now rebuild, Corley said.

"We've got a history of over 40 years of service and we have helped 10,000 families," Corley said. "We hate to think that can be wiped away because of allegations."

Published February 19, 2006

Highfields: County actions are appropriate

A Lansing State Journal editorial

Ingham County judges and commissioners have acted appropriately on information they have about problems at Highfields, a local facility for troubled youth.

The judges have removed youths they have sent to the facility, in the wake of substantiated claims of abuse. The Board of Commissioners, meanwhile, canceled payments on its \$2 million contract with the center.

It would be a huge loss for the community if this scandal led to Highfields' end. Much good has been done there.

But people in charge of children have to be held to high standards. They must have proper training and oversight.

The multiple investigations into Highfields may uncover more unpleasant facts. That's necessary, though, since without the facts, how can improvements be made?

And, let's be clear, without the public confidence that would result from improved oversight, improved training, improved accountability, there will not be a relationship between Ingham County and Highfields.

That is the lesson of the last week: The status quo at Highfields is unacceptable. Until it changes, the county's only option is to look elsewhere for help for our troubled youth.

Lansing State Journal

February 18, 2006

Boy charged with rape may be tried as adult

WARREN - A 14-year-old boy accused of raping a 12-year-old girl in a bathroom stall at a church is expected to be tried as an adult.

Joshua Owens, of Warren, waived his preliminary examination Thursday on first- and second-degree criminal sexual conduct charges before 37th District Court Judge Walter Jakubowski. Defense lawyer Antonio Tuddles said his client should not be charged as an adult.

The teenager is accused of forcing the girl into a bathroom stall at Mount Calvary Lutheran Church in Warren on Dec. 19. According to court records, the teen pinned the girl against a wall and fondled her, then raped her. Owens is being held at Macomb County Juvenile Justice Center.

Letters for February 20, 2006

The Grand Rapids Press

Invest in at-risk youth-- Ronald J. Frantz' guest column, "Early intervention keeps troubled youth out of prison," (Press, Feb. 4) is right on target.

The alarm bells for at-risk youth need sounding years before they face prison time. This includes maintaining a continued, collective focus on the issues fueling the downward spiral of those youth.

Not only can early intervention effectively redirect troubled youth toward more productive lives, it is a fiscally sound practice. Ottawa County is a great example, with its "Parenting Plus" and "Wrap Around" early intervention programs. It is also one of the first counties in Michigan to pilot an innovative Juvenile Community Justice program (JCJ). The goal of this program is to keep kids close to home who require specialized intervention services.

The key to the success of the program is community partnership. This is accomplished through a collaborative network of local agencies, the 20th Circuit Court's Family Division of Juvenile Services, the Ottawa Area Intermediate School District (OISD), Child and Family Services, the Ottawa County Sheriff's Department. As one of the partnering agencies, Wedgwood Christian Services provides a full range of treatment services individually tailored to each youth's specific situation and needs.

In 2005, Ottawa County referred nearly 20 youth/families to the JCJ program. Previous to the JCJ program these kids would have been referred to programs that were out of the county and sometimes out of the state. The program is clearly a state model of private-public partnership, collaboration and community reintegration.

Early intervention is an investment in our youth and our community's future. Not only does it produce great economic savings, but it is the right thing to do for our kids and families.

JOHN FISHER

Program Administrator

for Community Programs

Wedgwood Christian Services

Kalamazoo Gazette Letters

February 19, 2006

Grateful for library's partnership

The Kalamazoo Public Library has been a literacy ambassador to the Kalamazoo County Juvenile Home Youth for many years. The library's generosity includes providing teen novels to residents, facilitating book discussions with residents and other enrichment opportunities that promote reading, including supporting the Late Show. Kalamazoo Public Librarian Sue Warner has been selecting readings for the Late Show for several years. Bedtime readings facilitated through the Late Show stimulate reading and conversation among youth in detention. KPL Teen Services Librarian Kevin King comes to the juvenile home once a week to promote the importance of reading.

As a result of this partnership, there has been an increase in reading among youth during confinement. Also, more youth articulate an interest in obtaining and using their community library upon their release. Polls taken among youth in detention suggest those who worked with King in the juvenile home are more likely to read for pleasure than youth who don't participate in the literary programming.

King's visits to the facility have stimulated an increase in creative writing, poetry and journaling.

We are very grateful to the Kalamazoo Public

Library for reaching out and facilitating pathways to reading with youth in confinement. The Kalamazoo Public Library is one of the many treasures of this county. We are so fortunate to have you as a community partner!

Tamica Frison
Secured Detention
program manager
Kalamazoo County
Juvenile Home

Wayne County

McNamara's other legacy: Helping kids

Master politician improved juvenile justice system

February 21, 2006

BY JACK KRESNAK
FREE PRESS STAFF WRITER

Former Wayne Co. Exec Ed McNamara died Sunday.

With a population topping 300 juvenile offenders in the early 1990s, the old Wayne County Youth Home was a hellhole where delinquents languished for months, often sleeping atop dirty mattresses on filthy floors while keeping one eye open for rats.

Things weren't much better in state training schools, where the Michigan Department of Social Services was trying to supervise more than 2,000 delinquents from Detroit and Wayne County. With no available beds in Michigan, the department resorted to sending kids to programs in other states at taxpayers' expense.

Social services workers also were failing to keep track of juveniles after their release from training schools and other rehabilitation programs. Kids supposedly under their supervision often were caught up in new acts of rape, robbery and murder.

That all changed under former Wayne County Executive Ed McNamara.

"You had a soaring juvenile crime problem and a system that was out of control" in the early 1990s, said Mike Duggan, a former top aide to McNamara who became chief executive officer of the Detroit Medical Center in 2004. "Seventy-five percent of the kids who went through the county Youth Home were in adult prisons five years after being released. The system was failing."

McNamara, who died Sunday of heart failure at 79, was well known for re-creating the international airport that now bears his name as well as for the Democratic political machine that nurtured politicians such as Gov. Jennifer Granholm and Detroit Mayor Kwame Kilpatrick.

But his lesser-known legacy is a better, more efficient way to help youths on a criminal path.

McNamara "took juvenile justice from one of the most deplorable big city systems in the country to probably one of the best," Wayne County Sheriff Warren Evans said Monday.

Before becoming county executive in 1987, McNamara was mayor of Livonia for 16 years and started the city's first Youth Assistance Program to rehabilitate juvenile delinquents without having to lock them up in places where they might learn to be better criminals.

In 1994, when the U.S. Department of Justice opened a civil rights investigation into the county Youth Home, McNamara hired a nationally known expert in juvenile detention, Leonard Dixon, to fix the old facility and help design a new one.

"One of the reasons why I took the job was because of my final interview with McNamara," said Dixon, who was named director of juvenile justice for the Michigan Department of Human Services in 2004. "When we sat down, his question to me was, 'Do you think you can fix this?' I said, 'Yeah, all I need is support.' "

McNamara gave Dixon the support he needed and also found the money to build a \$50-million, state-of-the-art juvenile-detention facility that opened in 1999 and is considered a national model.

But the detention facility is only one piece of an integrated juvenile justice system that uses private nonprofit agencies to supervise juvenile delinquents in their communities.

Sue Hamilton-Smith, who was named director of the county's Department of Children and Families by McNamara's successor as county executive, Robert Ficano, said the county's juvenile justice system is "cutting-edge, one-of-a-kind in the country."

The system uses sophisticated psychological evaluations, electronic tethers, regular drug testing, frequent home visits by caseworkers and the threat of detention to keep more than 1,800 youths under control.

Dan Chaney, the county's director of juvenile services, said McNamara was a visionary who should be remembered for "his willingness to invest in families, not bricks and mortar."

"He accepted the risks that come with innovation and change," Chaney said.

Contact **JACK KRESNAK** at 313-223-4544 or jkresnak@freepress.com.

Funeral is Friday

- Funeral services for former Wayne County Executive Ed McNamara have been scheduled for Friday, at the Most Holy Trinity Catholic Church in Detroit. McNamara's longtime deputy executive, Michael Duggan, will deliver the eulogy. The viewing will take place at 9:30 a.m. at the church, 1050 Porter St. A funeral mass will follow, at 10:30 a.m. Burial will be in the Parkview Memorial Cemetery in Livonia. McNamara, who was the Wayne County executive from 1987 to 2002, died Sunday morning of heart failure at Harper University Hospital in Detroit. The family will greet visitors at the Neely-Turowski Funeral Home, 30200 Five Mile in Livonia, from 5 to 9 p.m. Wednesday and from 1 to 9 p.m. Thursday. A rosary will be said at 7 p.m. Thursday. In lieu of flowers, donations may be made to the American Heart Association, 24445 Northwestern Highway, Suite 100, Southfield, 48075, or to the McNamara Scholarship Fund, in care of Most Holy Trinity School, 1229 Labrosse, Detroit 48226. Wayne County Executive Robert Ficano has ordered that flags above all county buildings be flown at half-staff through Friday.

ZACHARY GORCHOW

Millions Not Joining Medicare Drug Plan

Despite Outreach, Poor Seniors Miss Out On Low-Cost Coverage

By Ceci Connolly Washington Post Staff Writer

Tuesday, February 21, 2006; Page A01

A \$400 million campaign by the Bush administration to enroll low-income seniors in prescription drug coverage that would cost them just a few dollars per prescription has signed up 1.4 million people, a fraction of the 8 million eligible for the new coverage.

At this rate, by some calculations, the government is on track to spend about \$250 for each person it enrolls, and even then it would have only 2 million poor senior citizens taking advantage of what is perhaps the most generous government benefit available today.

"It's a very, very good benefit," said Deane Beebe, whose organization, the Medicare Rights Center, has been critical of many aspects of the new Medicare drug program, called Part D. "It's probably the best thing about Medicare Part D, except that most people don't know about it or don't know how to apply for it or are not comfortable or capable of applying."

When Congress enacted the first-ever drug plan for Medicare's 42 million beneficiaries, it created a tiered system in which the poorest and sickest seniors pay the least. About 6 million elderly and disabled people were switched from state Medicaid programs to virtually free Medicare coverage. Retirees at the high end of the income scale have the option of purchasing a plan with standard out-of-pocket costs such as monthly premiums, deductibles and co-payments.

The group sandwiched in between -- those earning too much for Medicaid but less than \$19,000 -- qualify for coverage with no premiums, no deductibles and co-payments of less than \$5. Congress gave the Social Security Administration \$500 million primarily to identify and enroll them.

Need Help With Part D?

Before enrolling in one of the new prescription drug plans, study the options. You can start now. Here are a few resources that can help.

- **Medicare.gov** : The major source of information about Part D. A hotline is also set up at 1-800-MEDICARE (1-800-633-4227).
- **National Council on the Aging** : An online questionnaire for people considering whether to enroll is offered.
- **Medicare Rights Center** : The center looks at how your current drug coverage, your income and your prescription costs relate to the new plans. [Handout \(PDF\)](#)
- **State-by-State**: Residents can contact local information centers:
 - District residents** : Health Insurance Counseling Project, 202-739-0668
 - Maryland residents** : Department of Aging at 800-243-3425 or 410-767-1100. Local offices include: Montgomery (240-777-1131) Prince George's (301-265-8450) Frederick (301-694-1605) Howard (410-313-6410) Anne Arundel (410-222-4464) Charles (301-934-0109) St. Mary's (301-475-4200, extension 1050) Calvert (410-535-4606 or 301-855-1170)
 - Virginia residents** : [Department for the Aging](#) at or 800-552-3402. Local offices include: Alexandria (703-838-0920) Arlington (703-228-1700) Fairfax (703-324-5411 or 866-503-0217) Loudoun (703-777-0257) Prince William (703-792-6400) Stafford/Spotsylvania (800-262-4012 or 540-371-3375) Fauquier (540-825-3100).

But as in earlier efforts to register low-income Americans in programs such as food stamps or children's health insurance, officials have encountered myriad challenges. The group of seniors eligible for the subsidies dubbed "extra help" tend to move often, may not speak English, sometimes suffer from mental impairments or do not want what they perceive to be a government handout.

Across the nation, the administration has turned to hundreds of community groups to help sign people up. At the Educational Organization for United Latin Americans in the District's Adams Morgan neighborhood, Mirian Barrios brings clients to her computer and makes her pitch, usually in Spanish. Explaining the program, collecting financial data for the application and finally choosing a drug plan often takes four one-on-one meetings, she said.

"I have more trouble signing people up for the extra help," Barrios said. "They don't want to release information like their bank statements or they are afraid they will lose some of the benefits they already have."

Digna Tate, a 72-year-old Cuban American who speaks English and has been in the United States for decades, said she was intimidated by the whole process. "If it weren't for Mirian, I wouldn't have the Medicare plan," she said, after eating lunch at the center.

Even Medicare chief Mark McClellan acknowledged that it is difficult marketing to this skeptical group. "Some people think it's too good to be true," he said in an interview.

The task has proved to be so daunting for the Social Security Administration (SSA) that one high-ranking official wrote a desperate e-mail this month describing overwhelmed telephone lines, heavy backlogs, and visits to field offices that jumped from 140,000 people a day in the fall to 200,000 in January.

"Those of you on the front line have been expressing your deep concern that SSA is not positioned well to help people understand, enroll in and negotiate" the discount drug program, wrote Linda McMahon, deputy commissioner of operations. "Now we are seeing the consequences of that fact."

Drug Plan's Start May Imperil G.O.P.'s Grip on Older Voters

By ROBIN TONER

Published: February 19, 2006

WASHINGTON, Feb. 18 — Older voters, a critical component of Republican Congressional victories for more than a decade, could end up being a major vulnerability for the party in this year's midterm elections, according to strategists in both parties. Paradoxically, one reason is the new Medicare drug benefit, which was intended to cement their loyalty.

During next week's Congressional recess, Democrats are set to begin a major new campaign to highlight what Representative Nancy Pelosi of California, the Democratic leader, describes as "this disastrous Republican Medicare prescription drug plan."

Democratic incumbents and challengers plan nearly 100 public forums around the country, armed with briefing books and talking points on a law that, party leaders assert, "was written by and for big drug companies and H.M.O.'s, not American families."

Recognizing the widespread criticism of the new drug program, Republican senators met in a closed session with administration officials this week to discuss the rocky rollout of the plan and prepare for questions back home.

But pollsters say the Republicans' difficulties with the over-60 vote go beyond the complicated drug benefit, which began Jan. 1.

President Bush's failed effort to create private accounts in Social Security last year was also unpopular with many older Americans. That, in addition to confusion over the drug benefit, has "taken the key swing vote that's been trending the Republicans' way and put it at risk for the next election," said Glen Bolger, a Republican pollster. "And what that means is Republicans are going to have to work extra hard."

Mr. Bolger added: "It's no secret what the Democrats are going to do. It's what they always do — scare seniors."

Representative Rahm Emanuel of Illinois, chairman of the Democratic Congressional Campaign Committee, countered: "We told them up front, the way you're designing this is going to be a disaster. If you go back to the debate, we said this is set up for failure."

Retirees loom large in midterm elections because they turn out in force at the polls, even in nonpresidential years; their numbers and influence are particularly strong in Congressional battlegrounds like Florida and Pennsylvania.

For years, Democrats counted on the over-60 vote to regularly return their party to power on Capitol Hill — the party of Franklin D. Roosevelt, Social Security and Medicare, as Democrats were quick to remind retirees.

But that changed in the 1990's, when that vote began tilting toward the Republicans.

One reason for the change was demographics — the passing of the New Deal generation and its replacement with retirees whose political loyalties were formed in a more Republican era. But it also reflected Republican success in muting or neutralizing the longtime Democratic advantage as the more trustworthy party on Social Security and Medicare. The passage of the Medicare prescription drug law in 2003 was intended to be the crowning accomplishment of that strategy.

Experts note that the retiree vote is hardly monolithic, nor is it motivated purely by what happens to programs for older Americans. "It's not always economics that prevails," said Susan A. MacManus, an expert on generational politics at the University of South Florida in Tampa. She noted that many retirees in her region are younger and more affluent, less dependent on Social Security, Medicare and Medicaid, and more concerned about national security and moral issues. In fact, Democrats suffered one of their worst years among over-60 voters in the 1998 House vote, according to surveys of voters leaving the polls; some analysts attributed that to the Monica Lewinsky scandal that year, which they argued was particularly offensive to older voters. In more recent elections, older voters have been particularly responsive to Mr. Bush's national security and antiterrorism positions, said Geoff Garin, a Democratic pollster.

But for now, the major battleground is the new Medicare benefit, a program potentially affecting 42 million older and disabled Americans that has been rolled out in a bitterly competitive political year. At stake is control of the House and Senate: Democrats could gain control of the House for the first time in 12 years if they make a net gain of 15 seats, a difficult challenge. They could regain control of the Senate by picking up six seats.

Older voters will play a crucial role in some of the marquee races, including the Pennsylvania Senate race, between Republican Senator Rick Santorum and his Democratic challenger, State Treasurer Robert P. Casey Jr. Among the fewer than three dozen House districts considered competitive, the over-60 vote will be critical in states like Florida and New Mexico.

New Mexico's attorney general, Patricia Madrid, who is challenging Republican Representative Heather A. Wilson, was chosen to deliver the Democratic radio address on Saturday, focused on the Medicare drug benefit.

Many Republicans say they still believe that the drug program, by this fall, will be a net political advantage with millions of retired voters. But they acknowledge problems, including low-income people who fell between the cracks in the transition; the difficulties reported by many pharmacists in determining eligibility; and the general struggle of millions of retirees faced with a choice among 40 or more private drug plans, with different rules, lists of covered drugs and premiums.

Republicans have reacted angrily in recent days to what they assert is a blatant effort by Democrats to capitalize on the confusion. Representative Deborah Pryce of Ohio, chairwoman of the House Republican Conference, accused Democrats of trying "to scare seniors away from signing up for this benefit." Senator Charles E. Grassley, Republican of Iowa and chairman of the Finance Committee, asserted that the Democrats' new public campaign was a strategy of "inherent political hypocrisy and opportunism."

Democrats insist they are urging older voters to sign up for the program — the deadline for signing up without penalty is May 15 — even as they highlight its flaws. They are pushing legislation that would, among other things, extend the sign-up deadline, allow Medicare to negotiate prices directly with drug companies and impose new regulations on private drug plans. As the election approaches, increasingly anxious Congressional Republicans say the onus is on the Bush administration to make the program work. Representative Paul D. Ryan, a Wisconsin Republican who played a crucial role in the drug law, said, "By and large, people are satisfied, but there are a lot of people who are frustrated and confused, no two ways about that. The question is whether those people who are frustrated and confused are going to have their problems resolved in the next few months. The administration is really on the hook for smoothing out these problems."

Surveys show that older voters remain skeptical; a new nationwide poll by the Kaiser Family Foundation, a nonpartisan health research group, found that retirees were almost twice as likely to say they viewed the benefit unfavorably (45 percent) as favorably (23 percent). Last month's New York Times/CBS News Poll found that most did not expect the law to lower drug costs over the next few years.

In the 22nd Congressional District, in Florida, where State Senator Ron Klein, a Democrat, is challenging Representative E. Clay Shaw Jr., a Republican, Mr. Klein said the prescription drug issue was part of a general economic squeeze, including higher homeowners' insurance and gas prices, that retirees were feeling.

"Things have gotten pretty rough in the last couple years, and these Medicare prescription drug costs, on top of the other issues, are weighing pretty heavily on people with fixed incomes," Mr. Klein said. "Let's start thinking about the consumer side, instead of figuring out how to prop up the pharmaceutical and insurance industries."

Mr. Shaw, who came to Congress in 1981 and has proved one of the more durable political survivors, said he expected an expensive race, but a successful one. He said he had been giving seminars to help older Americans maneuver through the new drug benefit.

"It's complicated and confusing, no question, because it's new," Mr. Shaw said. "But I can tell you by November, those who have it will be delighted, and those who don't will be wanting to get into the program."

Risk of AIDS infection underestimated, speaker says

Saturday, February 18, 2006

By Rick Wilson
The Grand Rapids Press

GRAND RAPIDS -- When Selvy Hall first was diagnosed as HIV positive in 1990, there were no counselors or public system in place to help her cope with the news, only a caseworker at the Oakland County Health Department asking whom she had slept with in the past five years. While much has changed, the news about AIDS and HIV, especially for black women such as Hall, has become astoundingly bleak. The Los Angeles-based Black AIDS Institute reported this month a 6 percent decline in the rate of AIDS infections among black women between 2000 and 2003, but that same group still accounts for 72 percent of new infections, according to Hall, now a certified HIV prevention specialist.

"People assume you use drugs or are promiscuous, but the fact is all you have to do is have sex with someone who has HIV once to get AIDS," Hall said Friday during a community discussion on the subject.

While the numbers are better in Kent County, blacks nationally account for about 13 percent of the population, but about half of all newly-diagnosed HIV/AIDS cases in the country, according to the Black AIDS Institute report.

Hall, 46, spoke to about 20 residents and health-care workers. She gave blunt advice about prevention, dispelling myths about how the disease is transferred and who is at risk. She noted federal standards are at extreme odds with the realities of the disease.

"Most of you would never be educated because you're not considered high-risk by the government," Hall told the gathering of mostly black women. "Under the current standards, a prostitute wouldn't be considered high risk unless she slept with a man who was gay, an IV drug user or was infected with HIV."

Some in the crowd seemed genuinely surprised at Hall's revelations that the disease is most commonly transmitted through male-on-male sex.

"African-American men are less likely to use protection, and also there is a much greater stigma in the African-American community about homosexuality," said Peggy VanderMeulen, program director for Strong Beginnings, a health-awareness organization that sponsored Friday's event. Hall cautioned abstinence is the only sure way of avoiding the disease, but urged the use of condoms among the sexually active for prevention.

State ditching support checks

Officials: Direct payment helps families, costs

By ANDREA MASON
Times Herald

No more paper - the state's child-support payment system is going high tech.

By the end of the year, nearly all families who used to receive child support checks by mail will get that same money via either direct deposit or a Visa debit card. St. Clair and Sanilac counties are among five slated to be on the paperless system by the end of the month, state officials said at a press conference Friday morning in Port Huron.

"Sometimes people who receive child support have emergencies, and they have to be away from their home, away from their mail box," said Rep. John Espinoza, D-Croswell. "They still have to feed their children."

About 30% of Michigan families receiving child support use direct deposit, said Marilyn Stephen, Director of the Office of Child Support. She hopes to double that number. For starters, Stephen said, bank accounts are stabilizing factors in families. In order for a family to use direct deposit, it must first have a bank account. Those without bank accounts can still use the Visa debit cards.

Secondly, she said, the state spends about \$2 million to print and mail the child support checks - costs which would be eliminated with the new program.

Electronic disbursement will streamline the process, officials said. They provide immediate access to money and eliminate mail delays, check cashing fees and returned mail.

Lorie Murphy, 41, of Port Huron receives child support. She said the state's plan sounds like a good idea.

"That way if you're not going to get your check till Saturday, it's definitely going to be in there," she said.

Child support recipients who use the debit card will receive monthly statements and can call a toll-free number to check their balances or answer other questions.

The push follows a new state law requiring all child support disbursements from the state to be either direct deposit or placed on a debit card. Only a few exceptions will be allowed. Mental or physical disability, language barriers or if both home and work is more than 30 miles from the nearest ATM are the most common exceptions. Stephen said exceptions would also be made for the elderly or others who do not feel comfortable with electronic transactions.

Shiawassee, Marquette and Muskegon were the first counties to try the program. Wayne will be the last, Stephen said - the state wants to be sure it has plenty of practice before tackling its biggest county for child support.

Contact Andrea Mason at (810) 989-6272 or amason@gannett.com

Originally published February 18, 2006

Albion church operating soup kitchen

Monday, February 20, 2006

By Paul Fletche
For the Citizen Patriot

Although the turnout for Saturday's soup kitchen in Albion was sparse, organizers say the program will continue for at least the next few weeks.

More -- and better promotion -- of the event and word-of-mouth are the keys to success, said Perry Toor of the Albion Volunteer Service Organization.

"We're not discouraged at all," Toor said. "We fed (nine) people; that's something."

Six people attended the soup kitchen at St. James Episcopal Church. One person, Albion resident Thomas Burchfield, took several bowls of soup home to feed members of his family who are ill. Burchfield said there was a definite need for such a program in Albion.

"It's a very good (idea)," he said. "People can at least get something to eat."

The Albion Volunteer Service Organization organized the event along with St. James pastor the Rev. Edward Scully and the VolunTEENS, a group of Albion middle and high school students that Toor mentors and coordinates activities for.

Scully made a large pot of lentil and pea soup. Bread, cookies and drinks also were offered.

VolunTEENS Donisha Brewer, 16; Yvonne Hart, 17; Sherri Huang, 16; and Ashton Harvey, 17, served the food.

Like Toor, the four girls said they were not discouraged by the low turnout. They said it was important for them to do something kind for the community.

"I really didn't think that many people would come out (because of the weather)," Brewer said. Temperatures on Saturday were hovering around 10 degrees.

Albion resident Don Lambrecht attended the soup kitchen and made a donation for his meal, as did three other Albion residents.

Lambrecht saw a flier detailing the event and wanted to be a part of it.

"I thought I'd come over and partake with them," Lambrecht said.

Organizers say they have donation funding to go for another month. With continued local support, they say it's likely the soup kitchen will become a weekly community event.

"We'll try again," Toor said. "We're going to keep going on for a while; we're going to keep pushing."

Scully said he has realized the need for such a project over the past several years, but for various reasons it never got off the ground.

The next soup kitchen is scheduled for 5 p.m. Feb. 25 at St. James church, 119 W. Erie St.

Food giveaway planned

HOMETOWN HEADLINES

FLINT TOWNSHIP

THE FLINT JOURNAL FIRST EDITION

Monday, February 20, 2006

By George Jaksa

gjaksa@flintjournal.com • 810.766.6332

FLINT TWP. - Food will be given to the needy from 11 a.m.-2 p.m. Feb. 28 at New Community Church of God, 3472 Lennon Road, while supplies last.

The event is co-sponsored by Crossover Downtown Outreach Ministry of Flint and New Community Church.

More than 200 brave cold at 13th annual Walk for Warmth

Thursday, February 19, 2006

tblade@kalamazoogazette.com 388-8526

Undeterred by temperatures in the single digits, more than 200 people left their vehicles Saturday and walked for warmth.

The 13th annual Walk for Warmth, coordinated by the Kalamazoo County Community Action Board, raised money to provide emergency assistance to low-income families and individual people to help with heating costs.

Barbara Young, executive director of the Kalamazoo County Community Action Bureau, said participation was up 50 percent this year, which should help the group toward its \$50,000 goal. Many attributed the increase to the high cost of keeping warm this winter.

"It just seems like it's very needed this year with the cost of heating up so much," Norman Young, of Portage, said. "More people are going to need help."

The event began at the First Baptist Church near downtown Kalamazoo and followed a one-mile route from North Burdick to North Street to North Westnedge Avenue and back to West Michigan Avenue. The bravest participants continued on for two additional miles from South Westnedge to Vine Street to South Burdick Street and back to the church.

"I know it's cold, but you can't walk for warmth if it's 60 degrees outside," said Ron Boyd, WWMT Channel 3 weather forecaster and Walk for Warmth special guest.

Dressed in heavy layers of sweatshirts, scarves and socks, rows of people with rosy cheeks and bright-red noses braved the cold for the cause.

Several community leaders, including Kalamazoo Mayor Hannah McKinney, Vice Mayor Bobby Hopewell and County Commissioner Eva Ozier, came to show support.

James Whately, 13, of Mattawan, bundled up in three shirts, snowpants, sweatpants and a hooded coat.

"My mom was real worried about me because it's so cold today," Whately said. "I got a lot of layers, but I wanted to come anyway."

Walkers were welcomed back at the church with applause, hot coffee, soup, fried chicken and other snacks.

The 42 event sponsors included several townships, restaurants, Consumer's Energy and Kalamazoo Public Schools.

The Rev. Bob Cochran coordinated a team for Prince of Peace Lutheran Church in Portage that included 30 youth-group members.

"I've been teaching them about social justice and helping others, so this is great," he said.

Cochran said he worried that some of the children wouldn't participate because of chilly temperatures.

"I made a lot of calls last night, and one of the kids said to me, 'What would it be saying about us if we didn't show up?' That's exactly why we're here."

After a lonely death, homeless man mourned Dozens attend vigil at campsite

Tuesday, February 21, 2006

BY JO COLLINS MATHIS

Ann Arbor News Staff Reporter

Most of the 27 people who stood shivering in a circle holding candles Monday evening didn't know Mark Allen, whose death they had come to commemorate.

Even the handful who did couldn't say where he had grown up, or gone to school, or even if he had family.

But they all knew this: the 49-year-old man shouldn't have died the way he did, frozen in his sleeping bag in an icy marsh in the woods. Homeless, and alone.

"I tried to give him a cot, but he wouldn't take it," said Dee Huguley, who lives with her boyfriend, Kenneth Gregory, in a tent not far from the tent in which Allen was found dead Feb. 6.

"He said, 'I'll be OK, don't worry about me,'" said Gregory.

"He never wanted to take anything from anybody," said Jeffrey Hunt, who first met Allen last year when they were staying at Ann Arbor's homeless shelter, the Delonis Center.

Hunt recalled how the two would go canning together, collecting returnables and redeeming them at Kroger.

The week before he died, Allen stayed a few nights at Hunt's apartment. The two had run into each other at the bus depot, and Allen told Hunt he was living in a tent behind the old Moose lodge (now Absolute Title), behind the Kroger store in the 400 block of South Maple Road.

"I said, 'Come stay with me. You can sleep on the floor,'" said Hunt, his face illuminated by candlelight. "He stayed a couple nights. But then he didn't come back."

Hunt went looking for Allen at the campsite, and called his friend's name. When he didn't answer, he walked away.

"I should have gone in the tent," he said, his eyes filled with tears. "When I found out he was dead, that hurt."

It's unknown how long Allen was dead by the time another friend found him.

Ann Arbor Police Detective Sgt. Richard Kinsey, one of the first to arrive at the vigil, said police don't have the authority to force the homeless off the streets no matter how cold it gets.

Kinsey said about one homeless person a year in the Ann Arbor area succumbs to such a death.

"There but for the grace of God," he said.

An empty vodka bottle sits on the path to Allen's encampment, where his tent and blankets are stuck in ice not far from the bicycle no one has yet taken away. The site is near a Weber's billboard seen by traffic whizzing along on noisy, nearby I-94.

Allen was an alcoholic, said Hunt, and that was a big factor in his homelessness.

"But he was a terrific, great friend," he said. "Laid-back. A great worker. He could do anything electronically. I loved him a lot."

Hunt said Allen was mentally sharp.

"He was right on top of the game," he said. "As a mechanic, he had to be."

Huguley and Gregory were pleased with the number of people who showed up for Monday's vigil. They invited some of their homeless friends to a vigil last week, but nobody showed up. This time, The News printed an announcement, and the Rev. Terry Dumas talked about it from the pulpit at St. Francis Catholic Church on Sunday.

Most of the 27 who attended the vigil were parishioners of St. Francis or members of the "recovering community," said Dumas.

"I heard about it at Mass Sunday," said Jeff Wawrzaszek of Ann Arbor. "I thought it's appropriate that people who are homeless aren't forgotten. ... The story is heartbreaking."

"Being that it's here in affluent Ann Arbor," said Michele Thomas of Ann Arbor, "and with all that's going on in the world, it's just sad."

Huguley said she also wanted the vigil to honor Johnny Williams, the 69-year-old Ann Arbor man whose body was found Saturday afternoon in a wooded area near the M-14 right-of-way near Maple Road. He had been missing four days after apparently wandering away from his home and his family had put up fliers all over town. The cause of death is not yet known, police said, but there were no signs of foul play.

"We want to put their spirits to rest," said Huguley.

Talking loudly to be heard above the traffic, Gregory and Huguley spoke to the crowd about the plight of the homeless in Ann Arbor. They had little good to say about the Delonis Center, the county-run shelter on Huron Street, which they believe should find a way to admit those who have been drinking.

Huguley said she knows people who've been admitted to the center high on heroin and cocaine, but because staff can smell alcohol, drinkers are turned away.

"He liked to drink," she said of Allen, whom she had known for about a year and a half. "He tried his best not to, but it didn't work out."

"He's not the first to die out here and he's not going to be the last."

Officials from the Delonis Center could not be reached for comment this morning.

Huguley said she knows people who were out in the woods and under bridges Monday night, when it was 25 degrees and dropping.

She and Gregory would be among them, sleeping in bags, warmed by a propane heater. The woods have been home for the past nine months, although they've been homeless longer than that.

Gregory said he likes it there.

"It gets a little tedious, but we're used to it," he said.

The biggest problem, he said, are the raccoons and mice.

Asked why he doesn't at least move to a warmer climate for the winter, Gregory smiled.

"Ann Arbor is my city," he said. "I wish to live and die here."

When the prayers had ended and there seemed nothing left to say, the small crowd blew out their candles and walked to their cars.

"What Kenneth and Dee have demonstrated is that we are all sisters and brothers," said Dumas.

"We don't need to be related by blood to have a common relationship as children of God. Their desire to put the spirits to rest demonstrates the human hunger to be at rest in God."

Then he looked at the couple, and their tent behind them, and shook his head.

"It's freezing out here," he said. "And they're spending the night."

Jo Mathis can be reached at jmathis@annarbornews.com or 734-994-6849.

Katrina evacuees may lose rent funds

LSJ
2/20
1B

A change in the Federal Emergency Management Agency's transitional housing strategy could leave 86 Hurricane Katrina evacuees without rent money next month.

St. Vincent Catholic Charities leaders are scrambling to find \$17,000 to help 28 households they believe will no longer be eligible for FEMA housing assistance.

Funding for the evacuees changed under a new policy that requires them to apply directly through FEMA, as opposed to having it channeled through the state

government.

FEMA spokesman Michael Widomski said that to be eligible for assistance, evacuees must be under-insured, have no insurance or prove their primary residence is uninhabitable.

Chastidy Harvey, St. Vincent Catholic Charities program manager for Hurricane Katrina evacuees, said the agency is working to provide evacuees with employment, education and community resources.

To donate to Hurricane Katrina evacuees, make checks payable to St. Vincent Catholic Charities, and send them to 2800 W. Willow St., Lansing, MI 48911, Attention: Katrina.

For more information, contact Cheval Breggins at 323-4734, ext. 1202. To learn about FEMA eligibility, call (800) 621-FEMA.

BRIAN DICKERSON: Overhaul sex registry or cause more damage

February 20, 2006

BY BRIAN DICKERSON
FREE PRESS COLUMNIST

Conceived as a tool to protect children, Michigan's sex offender registry (SOR) is destroying more young lives than it's saving.

In the decade since they established the SOR, state lawmakers have all but lost sight of its original purpose.

The minority of ex-cons who pose a continuing threat to their communities are lost among the nearly 40,000 sex offenders listed on the registry for crimes ranging from violent sexual assault to teenage petting.

New laws restricting the movement, residential options and career choices of registered offenders have condemned thousands of young people to lifetimes of shame and ostracism.

Now, a new legislative initiative to alert parents whenever a registered sex offender moves into their neighborhood threatens to compound the injustice.

It's irresponsible and immoral to raise the registry's visibility until lawmakers establish rational criteria for deciding who should be listed.

The idea, when state lawmakers established the registry in 1995, was to alert children and their parents to the proximity of sexual predators.

The conventional wisdom among criminologists was that sex offenders with a history of targeting children were more likely than other ex-cons to repeat their crimes.

If the names and addresses of these predators were listed on a public Web site, lawmakers reasoned, children could be warned to avoid them, and paroled sex offenders would be placed on notice that their neighbors were watching.

But in its zeal to appear aggressive (and to capture federal funding tied to the number of offenders registered), Michigan lawmakers cast their nets wide, subjecting thousands of low-risk, nonviolent offenders to mandatory registration.

Bay County Family Court Judge Karen Tighe is one of a dozen or so judges who have written me to express their alarm at the number of young men being "labeled for life" as sex offenders. "Some of them are 16-year-olds who had consensual sex with a girlfriend who is 15," Tighe noted in an e-mail last month. "One young man has had trouble at college because he had to register as a sex offender over something that happened when he was 11."

Psychologist John Shanle of Grosse Pointe Farms, who counsels sex offenders, says the public registration requirement keeps some clients unemployable decades after the youthful offenses that landed them on the SOR.

"They tell me: 'I would have been better off killing someone,' " he said.

Even state Sen. Alan Sanborn, R-Richmond Township, whose e-mail notification initiative won passage in the House last week, concedes that an unknown percentage of registered sex offenders have been branded for minor offenses or "Romeo and Juliet situations."

Sanborn says he's pushing the e-mail notification bill "for the greater good," but the evidence suggests that Michigan's SOR is ruining more lives than it has protected.

Legislators need to repair the registry's defects before they raise its profile. The SOR's value, after all, is only theoretical. But its collateral damage is manifest, and growing.

Contact BRIAN DICKERSON at 248-351-3697 or dicker@freepress.com.

Detroit News Letters

February 21, 2006

Ban gay adoptions

I take extreme exception to Deb Price's Jan. 9 column, "Move to ban gay adoptions will hurt children." Every known study on the welfare of children extols the benefits of a father and mother in a traditional family setting. God has given every child the right to a father and a mother. A lesbian couple who adopts are denying the children involved their right to a father and conversely a male gay couple is denying their child or children the right to a mother. Gay adoptions should indeed be banned.

Fred Wait
Jackson

Gongwer
February 19, 2006

WELFARE CASELOADS SLIGHTLY DOWN, FOOD ASSISTANCE UP

The number of families receiving cash assistance from the state decreased slightly in January, while the number of families who received Food Assistance Program aid rose for the fourth consecutive month, according to reports from the Department of Human Services.

The Family Independence Program had 79,078 cases in January, down from 79,138 in December. The caseloads represented 213,997 persons receiving aid in January, down from 214,058 in December.

At an increase of nearly 10,000 since October, 506,506 families received Food Assistance Program benefits in January. That compares with 502,981 in December, 498,935 households in November and 497,814 in October.

Childcare cases decreased after a three-month climb over the holidays. The total caseload for that program was 63,028 in January, down from 64,720 in December and 64,700 cases in November. That month's caseload represented a more than 1,700 increase over October.

Earned income cases remained the same as December, with 33 percent of those required to find work reporting income in January and December, down from 34 percent in November and October. But the percent of cases exceeding the federal 60-month limit has held steady at about 13 percent since October.

Ann Arbor News Letters

February 20, 2006

Minimum wage increase would help the poor

I would like to applaud the organizations that are working toward raising Michigan's minimum wage from \$5.15 an hour to \$6.85 an hour. I would especially like to commend our local Interfaith Council for Peace and Justice for their work and contribution to ending the war on the poor.

Contrary to the Jan. 22 editorial in The News on minimum wage, I think that raising the minimum wage is one of the first obvious steps towards ending poverty. Although the article made some accurate points in acknowledging that there are other concerns, such as expensive health care, the pay disparity of corporate versus "average" workers, and the inordinately expensive housing in Ann Arbor, the editorial left out any solutions. Why bring up this campaign and say that it's not worth it when you are aware of the complexity of the problem? Everyone knows: "If you're not part of the solution, you're part of the problem."

Clearly the minimum wage campaign alone will not end poverty in this nation as we know it - that will take a large collective effort of educating, mobilizing, empowering and respecting one another as human beings before we're anywhere close to truly minimizing this nation's destitution. The Interfaith Council has offered us an active opportunity to focus our efforts in one positive cooperative manner that will help decrease the disparity of wealth and bring our standards up 33 percent more. Visit www.icpj.net to see how you can get involved.

Heather E. Mooney, Ann Arbor

Boosting base wage for minimal impact

Sunday, February 19, 2006

Last week state Sen. Mark Schauer said of a drive to raise Michigan's minimum wage, "I feel morally it is the just thing for us to do." We respectfully hold our counsel on this issue of social justice. A higher minimum wage might just be the wrong thing to do for the state as a whole. And that could be a big injustice.

Here's the background on this issue: Since Congress set the first federal minimum wage in 1938, it has gone from a low of 25 cents an hour to its current \$5.15 an hour. It has not been raised since 1997, the longest period of time without a change. Congress continues to debate the issue periodically, with Republicans typically opposing a raise and Democrats typically supporting one.

The states have not been idle. Most, like Michigan, maintain a state minimum wage on a par with the federal level. But others do not. In the Great Lakes region, only Indiana is with Michigan at the federal minimum. Ohio has a lower state minimum -- at \$4.25; the others are higher:

Wisconsin is at \$5.70, Illinois is at \$6.50, and Minnesota is at \$6.15.

Now, into this highly competitive region where the states vie for commerce and industry, the Michigan Democratic Party and labor allies are passing petitions to put a minimum-wage proposal on the state ballot in November. The proposal would raise the state minimum to \$6.85 an hour, which would give Michigan the highest minimum wage in the region. That in itself argues for a uniform rate set by Congress and applying to all the states.

However, Michigan residents face a critical choice: Will an extra \$1.70 an hour in minimum wage translate into an economic stimulus? Will it lead to more jobs, which all of us want? Or, will it make Michigan less competitive by ratcheting up the cost of doing business in this state? Our bias leans toward the latter view. Yet, Michigan residents don't necessarily see it that way. A poll by EPIC/MRA of Lansing in December found more than 80 percent public support for a higher minimum wage. If that's the case, a ballot measure will pass. However, the survey results probably reflect the lack of any exposure to market realities. For example, would those people still support a higher minimum if they believed it would force small businesses to downsize in order to afford the inflated payroll?

Anecdotally, we believe the market itself has pushed wages up in many Michigan communities - including Jackson. Where wages are too low, people simply won't work, forcing employers to pay more to attract a higher quality employee. That is the essence of our basic position -- that the marketplace should determine how much to pay for an hour of work.

However, if petitioners succeed in getting this measure to the ballot, a huge public debate will ensue. Questions like the following will be asked: Who actually is paid minimum wage these days; is it mostly young workers? And what type of jobs are these? Will an increase in the minimum wage drive up all low-level wages? And will it drive up prices of goods and services? Those are some of the issues. As Michigan struggles for its piece of the economic pie, we must make sure we don't make any decisions that could negatively impact the state as a whole.

--The Jackson Citizen Patriot

Budget cuts

Bay City times Letters

February 20, 2006

Voice: Gary W. Gilbert, executive director,
Mid Michigan Community Action Agency, Clare

President Bush's federal budget will impact our local economy and local residents. Many low-income families will go without services that help maintain their stability and self-sufficiency. Jobs will be lost for those who have dedicated themselves to helping others. Programs the president wants eliminated:

The Commodity Supplemental Food Program. Basic food products are distributed each month to more than 5,000 needy families in central Michigan. This \$1,311,240 program is slated for elimination. n The Community Services Block Grant provides core funding used by community action agencies to provide basic intake services. Our agency provided intake services to over 18,000 families in central Michigan. The elimination of this program creates a domino effect that requires the elimination of \$703,000 in heating assistance funds; elimination of \$100,000 in migrant assistance, and elimination of \$70,000 in emergency food and shelter assistance.

The president's budget is also taking away from our youngest population. The Head Start programs have not been increased to maintain cost of living adjustments or to cover increased transportation costs. This could impact over 600 families that we serve. I urge all of your readers to take a serious look at these budget cuts. Imagine what it would be like to have no heat in our Michigan winters and no food in your cupboard.

I am sure there are even more cuts that will directly impact the wellbeing of our seniors, children and families. I have only addressed the few that will impact the programs Mid Michigan Community Action operates here in mid-Michigan.

This Week in Washington

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Lawsuit Questions Validity of Budget Reconciliation Law

On February 13, an attorney filed a lawsuit in the U.S. District Court in Mobile, Ala., seeking to void the Deficit Reduction Act (DRA, P.L. 109-171), which was signed into law on February 8. The legislation saves \$39 billion over five years and makes major changes in Medicaid, Temporary Assistance for Needy Families, child support, and child welfare. The suit was filed by Jim Zeigler, who specializes in Medicaid cases regarding nursing home eligibility for the elderly. Zeigler said the budget measure is not valid because of a clerical error that resulted in slightly different versions of the bill being passed in the House and the Senate. He specifically opposes the asset transfer provisions in the bill, which he argues will penalize seniors for monetary gifts made over a five-year period in Medicaid eligibility determination. The error occurred when a Senate clerk mistakenly transcribed language limiting rental of most durable medical equipment as 36 months instead of 13 months. The Congressional Budget Office has estimated that the difference between the two timetables could be \$2 billion over five years. House and Senate Republican leaders argued that the law is valid because House Speaker Dennis Hastert (R-Ill.) and Senate President Pro-Tem Ted Stevens (R-Alaska) certified that the version signed by President Bush was correct. They have rejected a request by House Minority Leader Nancy Pelosi (D-Calif.) that the bill should be brought back to the House floor for another vote. If a judge invalidated the DRA, it is unclear whether the measure would go back to the House for another vote or entirely new legislation would have to be introduced in both chambers.

Snowe Introduces Energy Assistance Bill

On February 10, Sen. Olympia Snowe (R-Maine) introduced a bill (S. 2273) that would make additional Low-Income Home Energy Assistance Program (LIHEAP) funding available this year. The legislation would allow \$1 billion in new LIHEAP funding that the Deficit Reduction Act of 2005 (P.L. 109-171) provided for FY 2007 to be used in FY 2006. Of the \$1 billion in additional funding, \$250 million would be used for formula grants to states and \$750 million would be contingency funding. The funding would expire on September 30, 2006.

House Panel Questions Leavitt on Medicare Part D Deadline Extension

On February 15, the House Committee on Energy and Commerce held a hearing to discuss the administration's fiscal year 2007 health care priorities. Among the topics discussed was the Medicare Part D prescription drug benefit, with specific focus on the May 15, 2006, deadline for seniors to enroll in the program. Committee members questioned Health and Human Services (HHS) Secretary Michael Leavitt about a deadline extension, but he said the cutoff was necessary in order to prompt people to enroll. Leavitt also vowed to work with Congress if lawmakers alter the program. There was also discussion about the lack of new funding for the National Institutes of Health in the President's budget,

as well as Medicare payment calculations for physicians. Testimony of all witnesses will be made available [here](#).

Democrats Propose Legislative Changes to Part D

On February 15, several House and Senate Democrats proposed a number of legislative changes to the Medicare Part D benefit that they said would help beneficiaries to get their medications with fewer problems. Speaking at a news conference, Senators Richard J. Durbin (D-Ill.) and Debbie Stabenow (D-Mich.) and Rep. John Dingell (D-Mich.) proposed a requirement for prescription drug plans (PDPs) to provide a 60-day supply of any drug not covered by the plan or when the pharmacist is unable to confirm enrollment. They also proposed that a plan should be prohibited from dropping any drug from its formulary or raising drug costs mid-year, and that beneficiaries would be allowed to switch plans if their plan did not cover their needed medications. A standardized appeals process would be required, with medications provided during the appeal. Medicare would be required to reimburse family members, charity organizations, and states that have covered the cost of drugs during the initial implementation. Durbin said the Democrats are looking for a Senate bill to which they can attach the proposed changes.

Special House Panel Releases Report on Katrina Preparation and Response

On February 15, the House Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina released its report, *A Failure of Initiative*. The report broadly criticized federal, state, and local responses to the disaster, and made a number of recommendations. The panel found that public health preparedness and medical assistance are vital to emergency response planning. The report's specific criticisms of the medical system include: (1) failure to deploy medical personnel before, rather than after, Katrina's landfall; (2) failure to pre-position medical supplies and equipment, which delayed response time and caused shortages; (3) lack of preparedness to evacuate and treat special-needs individuals, as well as the lack of a consistent definition of "special needs" among Louisiana parishes and the state; (4) lack of specific protocols for evacuation in emergency plans of most hospitals and Veterans Affairs Medical Centers (VAMCs); (5) lack of preparedness for a full evacuation of New Orleans medical facilities; (6) failure among hospital and VAMC emergency plans to prepare for communication needs; (7) lack of appropriate communications equipment among medical responders; (8) subjective criteria about whether to evacuate New Orleans nursing homes, leading to avoidable deaths; (9) lack of electronic medical records that led to delays in treatment of evacuees; and (10) confusion between HHS and the National Disaster Medical System. The National Disaster Medical System's responsibilities include medical treatment and support to disaster victims; emergency social service assistance for prescription medicines; coordinated support from social service agencies; treatment, transport, and evacuation of the injured; disposition of the dead; crisis counseling; and medical and special needs evacuations. The report covers many other aspects of disaster response, including shelter and housing; how well charitable organizations functioned; and the lack of readiness and capability at all levels to handle adequately communications, coordination, law enforcement, and other functions. The full report is available [here](#).

Emergency Preparedness Bill for People with Disabilities Introduced in House

On February 7, Rep. Jim Langevin (D-R.I.) introduced H.R. 4704, the Emergency Preparedness and Response for Individuals with Disabilities Act. The legislation addresses the needs of individuals with disabilities in emergency planning requirements and disaster relief efforts. The bill would establish a Disability Coordinator within the Department of Homeland Security (DHS). The position be appointed by and report to the DHS secretary. The coordinator would be responsible for directing emergency planning and relief efforts. The legislation also amends the Stafford Disaster Relief Act to authorize \$5,000 more in financial assistance for home reconstruction that incorporates enhanced accessibility standards; require that at least 30 percent of temporary housing units provided by the federal government be accessible to individuals with disabilities; and require that federal disaster assistance

personnel ensure that individuals with disabilities who were living independently before evacuating their homes are offered housing options with comparable independence. The bill also directs the Government Accountability Office to conduct a nationwide study of emergency shelters to determine how many are accessible to individuals with disabilities. More information on the bill is available [here](#).

States Submit Waivers to CMS for Part D Reimbursement

The Centers for Medicare and Medicaid Services (CMS) required states by February 15 to submit their waiver applications to receive reimbursement for costs incurred by Medicaid agencies during implementation of the Medicare Part D drug benefit. The waiver deadline covered requests for claims paid and approved administrative costs. However, CMS will approve waiver extensions beyond February 15 on a week-by-week basis for all states complying with the terms included in the demonstration template. States will receive a week's notice of non-extension to make the arrangements necessary to shut down systems and issue communications, and no extensions will be granted beyond March 8, 2006. CMS will issue approval letters and waiver extension letters on February 16 to each state that submitted a completed waiver template by the close of business on February 15.

CMS Delays Power Mobility Device Rule until April

On February 14, CMS announced it is delaying implementation of Medicare's Power Mobility Device (PMD) rule until April 1, 2006. The Medicare Modernization Act required CMS to revise rules for prescribing and paying for PMDs such as power scooters and power wheelchairs. The changes have been in effect under an interim final rule since October 2005. Congress recently directed Medicare to wait until April 1 to implement the final rule. CMS has asked health care practitioners to hold some claims until the new date and plans to issue guidance to treating practitioners and Durable Medical Equipment Regional Carriers in the interim period. More information about implementation of this regulation is available [here](#).